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24 June 1998

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fifty-second session
Agenda item 37
THE SITUATION IN THE MIDDLE EAST

SECURITY COUNCIL
Fifty-third year

Letter dated 24 June 1998 from the Permanent Representative of Lebanon to the United Nations addressed to the Secretary-General

I have the honour to transmit to you a letter dated 23 June 1998 from Mr. Fares Bouez, Minister for Foreign Affairs of Lebanon, on the subject of Lebanese detainees held in Israeli detention camps.

I have the honour to request that the present letter and its annex be circulated as a document of the General Assembly, under agenda item 37, and of the Security Council.

(Signed) Samir MOUBARAK
Ambassador
Permanent Representative

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ANNEX

Letter dated 23 June 1998 from the Minister for Foreign Affairs of Lebanon addressed to the Secretary-General

[Original: Arabic]

I am again writing to you on the subject of the approximately 213 Lebanese detainees in Israeli prisons and in the detention centres that Israel maintains in the areas it has been occupying for the 20 years or more since it first invaded Lebanon in the spring of 1978 and failed to withdraw in conformity with Security Council resolution 425 (1978), which requires Israel to withdraw forthwith and unconditionally from Lebanese territory.

The situation of these detainees is a matter of concern to the Government and people of Lebanon. The Lebanese are increasingly angered by the continuing and open violation of human rights by Israel that such detention represents. From the time of their arrest, no charges are made against the detainees, and during their captivity they are subjected to long years of inhumane treatment and to all forms of torture at the hands of the Israeli occupation forces and their client militia. This is incompatible with the fourth Geneva Convention of 1949, to which Israel is a party, and the Convention and its Optional Protocol I require that civilians under foreign occupation be protected from any torture or arbitrary detention. Furthermore, Israel has detained dozens more in recent months. On 10 September 1997 it suspended the periodic visits by delegates of the International Committee of the Red Cross to prisoners in the Khiyam detention centre, and it has prevented their relatives from visiting them and from sending them letters, clothing and medicines. There are at Khiyam many sick persons, young women and elderly persons as well as at least 11 children and minors under 17 years of age who are, in their turn, being subjected to torture and starvation. This violates article 37 of the Convention on the Rights of the Child as adopted by the United Nations General Assembly on 20 November 1989. It is remarkable that at a time when Israel has been disseminating misinformation concerning its alleged intention to withdraw from southern Lebanon, the Israeli occupation forces and their client militia have stepped up their abductions of Lebanese civilians to be thrown into the Khiyam detention centre without legal justification. In this context, reference should be made to the fact that, according to information provided to us by international humanitarian organizations, on 28 May 1998 the militia subordinate to the Israeli occupation forces proceeded to abduct 60 Lebanese citizens.

Nothing is more expressive of Israel's contempt for international law than the decision of the Israeli High Court of Justice, announced on 4 March 1998, that Lebanese detainees could continue to be held without trial as hostages and as a bargaining chip despite the fact that they had been in detention for years. This decision, which has the aim of giving a stamp of legality to Israeli excesses, is a flagrant violation of the Universal Declaration of Human Rights and of all humanitarian principles.

On the occasion of the commemoration of the fiftieth anniversary of the adoption of the Universal Declaration of Human Rights and as Lebanon marks

Lebanese Prisoner Day, I urge you and, through you, I urge the relevant bodies of the United Nations system and the international community to make the utmost effort to bring an end to the plight of these detainees and to the suffering of their kith and kin. The Khiyam detention centre is one more disgraceful blot on the record of the Israeli occupation in southern Lebanon, a record already replete with practices that are incompatible with the relevant international covenants. It must be closed down, and the detainees must at long last be allowed to return to their homes and families.

Our quest for the release of Lebanese detainees from Israeli prisons is today all the more pressing in view of the testimony of those who have been released that they were subjected to the most heinous forms of savage and barbaric torture practised on detainees in Khiyam prison. This has been confirmed by medical reports and by medical examinations of some of them, and a number of them have died in hospital shortly after being released. This is corroborated by international humanitarian organizations.

Israel's claim that it is the South Lebanon Army that is in charge of the Khiyam detention centre in no way exonerates Israel from responsibility. This 'Army' is no more than a tool in Israel's hands and can only survive with Israel's support. It is Israel that is the actual occupation force, and it is Israel that is ultimately responsible for compliance with the international covenants that protect those who must endure occupation. The claim that it makes is therefore no more than a flimsy excuse and is refuted by all the facts.

In the light of the foregoing, we are addressing ourselves to you, Mr. Secretary-General, in order to seek your assistance in bringing an end to a tragedy whose far-reaching dimensions you learned yourself from the mothers of detainees during your recent visit to Lebanon. We are confident that you will spare no effort and leave no stone unturned in endeavouring to assist the Lebanese detainees by whatever means you deem appropriate and effective.

(Signed) Fares BOUEZ
Minister for Foreign Affairs
of the Lebanese Republic

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S/1998/571
24 June 1998
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 24 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you as follows:

1. On 19 April 1998 an Iraqi fishing boat went missing while it was fishing inside Iraqi territorial waters. It had a crew of five Iraqi fishermen, namely: Taha Mahmud Sabhan, Mahmud Shukr Sha'ban, Majid Qasim al-Nakhilah, Muhammad Mahmud Sabhan and Jasim Mahmud Sabhan. It subsequently transpired that gale-force winds in the area in question had swept the boat to a point close to Kuwaiti territorial waters where it was approached and seized by an armed Kuwaiti patrol craft. The crew members were taken in a cabin cruiser to a place they are unable to identify, and they were interrogated, severely beaten and tortured. They were asked about the situation in Iraq, and hostile remarks were made about the country. They were then released at the Iraqi border near the plantations, but only after all their official documents had been confiscated.

2. At 1310 hours on 16 June 1998 two Kuwaiti boats equipped with PKT machine-guns were seen near buoy 17 on the Iraqi side of the demilitarized zone. They fired on an Iraqi coast guard patrol that was inside Iraqi territorial waters before heading back towards the Kuwaiti side in the Ra's al-Kayid area.

I request you to intervene with Kuwait with a view to halting such violations and such provocative and unwarranted actions, which have become more frequent in recent times, given that they are in violation of the Charter of the United Nations and of public international law and that they pose a threat to the sovereignty and security of a State Member of the United Nations.

In accordance with the principle of State responsibility, I affirm the legally established right of the Republic of Iraq to seek lawful compensation for the damage done to it and to its nationals and their property by the perpetration of these acts.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1998/572
26 June 1998
ENGLISH
ORIGINAL: ENGLISH, RUSSIAN
AND SPANISH

Draft resolution

The Security Council,

Expressing grave concern at the conflict between Ethiopia and Eritrea, its political, humanitarian and security implications for the region, and its effect on the civilian populations there,

Affirming the commitment of all Member States to the sovereignty and territorial integrity of Ethiopia and Eritrea,

Affirming the principle of peaceful settlement of disputes and stressing that the use of armed force is not acceptable as a means of addressing territorial disputes or changing circumstances on the ground,

Noting that the official statements by the Government of Ethiopia and the Government of Eritrea pledging to discontinue the threat of and use of air strikes in the conflict have contributed to the continuation of the efforts to achieve a peaceful resolution to the conflict, reduced the threat to the civilian populations as well as the economic and social infrastructure, and enabled the resumption of normal economic activity, including commercial transportation,

Noting the strong traditional ties between Ethiopia and Eritrea,

Welcoming the official statements by the Government of Ethiopia and the Government of Eritrea that they share the ultimate goal of delimiting and demarcating their common border on the basis of a mutually agreeable and binding arrangement, taking into account the Charter of the Organization of African Unity (OAU), colonial treaties, and international law applicable to such treaties,

Noting the resolution adopted by the Council of Ministers of the OAU in special session on 5 June 1998 (S/1998/485),

Commending the efforts of the OAU and of others, in cooperation with the OAU, to achieve a peaceful settlement of the conflict,

1. Condemns the use of force and demands that both parties immediately cease hostilities and refrain from further use of force;

2. Welcomes the commitment of the parties to a moratorium on the threat of and use of air strikes;

3. Urges the parties to exhaust all means to achieve a peaceful settlement of the dispute;

4. Expresses its strong support for the decision of the Assembly of the Heads of State and Government of the OAU on 10 June 1998 (S/1998/494) as well as for the mission and efforts of the Heads of State of the OAU and urges the OAU to follow up as quickly as possible;

5. Calls upon the parties to cooperate fully with the OAU;

6. Also calls upon the parties to avoid any steps which would aggravate tensions such as provocative actions or statements and to take steps to build confidence between them including by guaranteeing the rights and safety of each other's nationals;

7. Requests the Secretary-General to make available his good offices in support of a peaceful resolution of the conflict and stands ready to consider further recommendations to this end;

8. Requests the Secretary-General to provide technical support to the parties to assist in the eventual delimitation and demarcation of the common border between Ethiopia and Eritrea and, for this purpose, establishes a Trust Fund and urges all Member States to contribute to it;

9. Decides to remain seized of the matter.

UNITED
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Security Council

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S/1998/573
25 June 1998

ORIGINAL: ENGLISH

LETTER DATED 24 JUNE 1998 FROM THE PERMANENT REPRESENTATIVE OF THE ISLAMIC REPUBLIC OF IRAN TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

Upon instructions from my Government, I have the honour to bring to your attention the following instances of violations by Iraq of the terms of the ceasefire between the two countries.

1. On 23 March 1997, 37 Iraqi motor boats, carrying 97 individuals, were observed patrolling on Armand River.

2. On 10 April 1997, at 1000 hours, six Iraqi loaders and cranes were observed constructing Om-Al-Rassas road at the geographic coordinates of 39R TP 2360069600 on the map of Khoram-Shahr, across from Minoo Island.

3. On 14 April 1997, Iraqi personnel set up five group tents around the geographic coordinates of 38S NC 4800050000, on the map of Sumar, west of border pillars 44/3, 44/4 and 44/5.

4. On 20 April 1997, at 1413 hours, four Iraqi personnel were observed across from the Naft-Shahr area.

5. On 20 April 1997, at 1510 hours, an explosion was heard from inside Iraqi territory, opposite Shohada hill (Meimak).

6. On 20 April 1997, at 1815 hours, one Iraqi helicopter was observed flying at low altitude from Faw towards Bassra at the geographic coordinates of 39R TP 5300023000 on the map of Khosro-Abad, south of Majaeinin River, opposite Aboo-Shanak of Iran, in the no-man's land.

7. On 21 April 1997, one Iraqi loader was observed in operation opposite the Khoram-Shahr border area.

8. On 22 April 1997, at 0720 hours, a number of Iraqi personnel were observed repairing and maintaining 10 tanks and personnel carriers at the geographic coordinates of 38S ND 3400009000 on the map of Khosravi, west of the Iraqi Al-Meghdad sentry post, south-west of border pillar 55/1.

9. On 22 April 1997, at 1130 hours, one Iraqi crane and two vehicles, along with five personnel, were observed repairing electric poles, across from the Sumar area, in the no-man's land.

10. On 23 April 1997, at 1500 hours, Iraqi personnel deployed one tank at their coastal post and, on 24 April 1997, at 0230 hours, one Iraqi boat dropped a number of personnel at the said post. They fired 10 shots in the direction of embankments.

11. On 24 April 1997, at 1120 hours, sporadic shootings by Iraqi soldiers were heard for 10 minutes from behind the Shohada hill (Meimak) at the geographic coordinates of 38S NC 8320019300 on the map of Halaleh, in the no-man's land, west of border pillar 35/8.

12. On 24 April 1997, at 1530 hours, one Iraqi helicopter was observed flying over Hessaria village at the geographic coordinates of 38S ND 6400056000 on the map of Chafta, north of border pillar 62/6, which left the area after a few minutes in the direction of Iraqi territory.

13. On 24 April 1997, at 1820 hours, one Iraqi vehicle, carrying one 14.5 mm anti-aircraft gun, was observed moving from Faw to Bassra at the geographic coordinates of 39R TP 4700035000 on the map of Khosro-Abad, across from Abadan Island, north of Manaril Al-Ghibani, in the no-man's land.

14. On 26 April 1997, at 1530 hours, four Iraqi senior officers visited the Iraqi Mondaria sentry post at the geographic coordinates of ND 410005000 on the map of Khosravi.

15. On 26 April 1997, at 2350 hours, several loud explosions were heard at the geographic coordinates of 39R TQ 1600031000 on the map of Hosseinieh, in the no-man's land, north of border pillar 10 and south of border pillar 11.

16. On 27 April 1997, at 1700 hours, an Iraqi loader and white Toyota were observed excavating along the Talkhab River in the Halaleh area.

17. On 29 April 1997, at 1730 hours, one Toyota with five occupants left the Al-Karama sentry post towards the Iraqi first base and returned after 20 minutes.

18. On 1 May 1997, at 0830 hours, the Iraqi troops constructed a stronghold at the geographic coordinates of 38S NC 5800031000 on the map of Kani-Sheikh, south of the Iraqi Al-Abas sentry post, west of border pillar 39/7.

19. On 1 May 1997, at 1000 hours, Iraqi troops based at the Chalani sentry post at the geographic coordinates of NC 4300065000 on the map of Naft-Shahr changed the post's flag.

20. On 1 May 1997, engineering activities by Iraqi troops on the Om-Al-Rassas road continued at the geographic coordinates of 39R TP 5300026000 on the map of Khosro-Abad, in the no-man's land, north of Maamir River and south of Osman River, opposite Seyed Yossuf River and Seyed Shahab River of Iran.

21. On 7 May 1997, a number of Iraqi senior officers aboard two vehicles stopped at the Shalamcheh, border point zero, installed a fence and then left the area.

22. On 7 May 1997, at 1430 hours, 30 Iraqi tanks left the Malek-Shah area at the geographic coordinates of 39R NC 3300098000 on the map of Khosravi and arrived at the Abdollah village garrison located at the geographic coordinates of 38S NC 3400096000 on the map of Khosravi, 4 kilometres to the south of Khaneghein.

23. On 8 May 1997, at 0900 hours, one Iraqi helicopter was observed flying over the Bassra area near the Arvand River.

24. On 8 May 1997, at 1630 hours, the Iraqi troops installed a dush-k machine-gun at the geographic coordinates of 39R TP 1500096000 on the map of Nim-Eistgah-Navad, in the no-man's land, north of border pillar 7/9 and south of border pillar 7/10.

25. On 8 May 1997, an Iraqi mechanical shovel was observed operating at the geographic coordinates of 39R TP 53000261000 on the map of Khosro-Abad, in the no-man's land, north of Maamir River and south of Osman River, across from Seyed Yossuf River and Seyed Shahab River of Iran.

26. On 10 May 1997, at 2000 hours, two Iraqi tugboats surrounded one Iranian private launch belonging to Mr. Faisal Hajavi at the entrance of the Armand River. The Iraqi forces intercepted the launch, looted its cargo and food and then left the area.

27. On 12 May 1997, at 0950 hours, a number of Iraqi personnel were observed operating one mechanical shovel and two heavy vehicles at the geographic coordinates of 38R QV 5500074000 on the map of south of Hoor at-Hovaizeh, in the no-man's land, south of border pillar 14B.

28. On 13 May 1997, at 1030 hours, two Iraqi loaders, one truck, two water tanks and one patrol vehicle were observed moving from the Ghalavand sentry post area at the geographic coordinates of 38R NC 4700082000 on the map of Sizda, west of border pillar 46/5, across from Chaghahaman and Chavarbakh of Iraq towards Naft-Khaneh.

29. On 16 May 1997, at 0010 hours, occupants of a vehicle at the geographic coordinates of 38S ND 6400030000 on the map of Ghasr-Shirin, west of border pillar 66/6 started firing at the Bishegan observation post for 10 minutes. After a reaction by the Iranian border guard, they fled in direction of the Sarghiril village at the geographic coordinates of 38S ND 6300031000 on the map of Ghasr-Shirin, north-west of border pillar 60/7.

30. On 16 May 1997, at 1330 hours, 10 Iraqi tanks, each carrying seven individuals, and two patrol vehicles were observed at the geographic coordinates of 38S NC 3440059000 on the map of Naft-Shahr-Jonoobi, west of border pillar 46. They left the area after 20 minutes.

31. On 16 May 1997, movements of Iraqi vehicles, with military and civilian occupants, were observed surveying the area at the geographic coordinates 39R TP 3900056000 on the map of Abadan, in the no-man's land, in the Ziadieh area.

32. On 18 May 1997, at 0730 hours, one Iraqi grader was observed destructing strongholds around the Iraqi Al-Ghatiba sentry post at the geographic coordinates of 39R ND 4700021000 on the map of Ghasr-e-Shirin, west of border pillar 57/10, in the no-man's land.

33. On 18 May 1997, at 0830 hours, three Iraqi tanks left the garrison located west of Abdollah village at the geographic coordinates of 38S ND 3400096000 on the map of Khosravi, and were deployed around the geographic coordinates of 38S ND 3400095000 on the map of Khosravi, south of the garrison.

34. On 18 May 1997, five elements of a small group of Kurdish mercenaries, which is supported by the Government of Iraq, headed by Karim Alootati, infiltrated Iranian territory and entered a border village in Baneh district. They summoned and surrounded the villagers and resorted to extortion under threat of death.

35. On 19 May 1997, at 2324 hours, a number of Iraqi personnel fired two illuminating shots across the Sumar area.

36. On 21 May 1997, at 0800 hours, the Iraqi troops constructed a new observation post at the geographic coordinates of 38S NC 489000504000 on the map of Sumar, west of border pillars 44/3, 44/4 and 44/5.

37. On 22 May 1997, at 2100 hours, Iraqi troops based at Al-Abass sentry post, located at 2500 m of the border at the geographic coordinates of 38S NC 3170058900 on the map of Kani-Sheikh, fired 15 rounds of shots in the direction of the Kani-Sheikh sentry post of the Islamic Republic of Iran.

38. On 22 May 1997, one Iranian vessel registered under the name of Oqhab, No. 15944, carrying stone to Kuwait, came under fire from an Iraqi tugboat with five military personnel and equipped with a machine-gun in the area between Khor Abdollah and Al-Omaeih platform at 1500 to 1600 hours and was forcefully seized.

39. On 24 May 1997, at 0855 hours, one Iraqi helicopter was observed flying from Faw towards Bassra.

40. On 25 May 1997, at 1015 hours, two Iraqi loaders and one truck were observed operating at the geographic coordinates of 39R TP 5300026000 on the map of Khosro-Abad, in the no-man's land, north of Maamir River and south of Osman River, across from Seyed Yossuf River and Seyed Shahab River of Iran.

41. On 27 May 1997, eight Iraqi tanks were observed moving at a distance of one kilometre from the military garrison located at the geographic coordinates of 38S NC 3400096000 on the map of Khosravi.

It would be highly appreciated if this letter were circulated as a document of the Security Council.

(Signed) Hadi NEJAD-HOSSEINIAN
Ambassador
Permanent Representative